

TECH transfer

U P D A T E

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Special Issue on CRADAs

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This issue will provide the reader with a full understanding of the definition, process and benefits of entering into a Cooperative Research and Development Agreement (CRADA) with the Carderock Division.

The Carderock CRADA described herein is an alternative to a Work for Private Parties Agreement. Both of these are mechanisms to support our mission and the Nation's maritime industry. Our highly respected staff of scientists and engineers combined with our world-class facilities and capabilities offers a wonderful opportunity for potential partners to leverage this truly unique national asset for their competitive advantage.

I strongly encourage you to familiarize yourself with this process and our organization in order to identify mutually beneficial CRADA opportunities with the Carderock Division. Please contact a Technology Transfer Office representative at (301) 227-2690 for additional information.

Dick L. Bloomquist

Director, Technology Transfer

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INFORMATION**

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**CONSIDERATION GIVEN TO
POTENTIAL CARDEROCK
DIVISION CRADA PARTNERS**



CRADA Information

Authorization

The Stevenson-Wydler Technology Innovation Act of 1980 (amended) permits Government-operated Federal laboratories to enter into Cooperative Research and Development Agreements (CRADAs) with the following potential partners:

1. Other Federal agencies
2. Units of State or local governments
3. Industrial organizations (including corporations, partnerships, limited partnerships, and industrial development organizations)
4. Public and private foundations
5. Non-profit organizations (including universities)
6. Other persons (including licensees of inventions owned by a Federal Agency).

What a CRADA Is

A CRADA is a legal mechanism where Federal laboratories and any of the allowable potential partners agree to perform mutually beneficial research and development. CRADAs are not required to engage in a competitive bid process.

CRADAs allow the Carderock Division to provide personnel, services, facilities, equipment, or other resources, with or without reimbursement. However, funds CANNOT be provided to our CRADA partners. Navy Small Business Innovation Research (SBIR) funds cannot be used to fund the activities under a CRADA.

Our CRADA partners may provide funds, personnel, services, facilities, equipment, or other resources toward the conduct of specified R & D efforts.

What a CRADA Is Not

CRADAs are NOT procurement contracts, grants or cooperative agreements.

The Federal Acquisition Regulations (FAR) and the DoD FAR Supplement are not applicable to CRADAs.

Types of CRADAs

The CRADA is a legal mechanism or a contract for doing cooperative work. These “contracts” vary considerable between agencies and laboratories. The Navy’s and the Army’s CRADAs are different as are the CRADAs with the Department of Agriculture, DoE, NIST, and NASA. The Navy uses a standard format for a CRADA and it is available for review by email or FAX. The specific work to be performed by the partners is described in the CRADA as a Statement of Work or SOW. This is where the technical principals or Principal Investigators (PIs) should focus their attention.

There are four types of CRADAs which fall into the following categories:

1. Co-development and marketing of a product;
2. Co-development and marketing of software;
3. Use of Navy facilities; and
4. Use of CRADA partner funds for R&D conducted by the Navy.

How long does it take to get a CRADA?

Simple CRADAs can be done in two to three weeks. The overall time between the initial drafting and getting the necessary signatures will vary due to a variety of factors. Often there are legal questions that require explanation and review. The Carderock Technology Transfer Office and the Office of Counsel are available to provide this support.

Responsibilities

CRADAs may NOT be used to limit competition among sources in any subsequent Navy procurement in the same area.

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CRADA Information *(Continued from page 2)*

CRADA objectives should be mutually beneficial and protect the interests of the partners. CRADAs should be prepared with technical, legal and management support from all the partners. The Technology Transfer Office shall coordinate and execute the CRADA process.

The Technical Staff of the Carderock Division and the Prospective CRADA Partner are responsible for drafting the CRADA Statement of Work (SOW). Since a CRADA may be readily amended, the SOW should reflect all near-term efforts, especially when considering a long-term partnership. This will expedite the approval of the SOW.

The Carderock Division Technology Transfer Office, in conjunction with the Legal Staff, will prepare and review the proposed CRADA. The Technology Transfer Office is responsible for coordinating and submitting the final CRADA to either the Commanding Officer or to the Office of the Chief of Naval Research.

Policy Considerations

By statute, a CRADA requires that the Government retains or acquires a nonexclusive, nontransferable, irrevocable, paid-up license to practice or have practiced throughout the world by or on behalf of the Government, any invention made by a Federal employee, a collaborating party, or by an employee of a collaborating party that is conceived or first reduced to practiced in the performance of work under the CRADA.

The Carderock Division shall:

1. Give special consideration to small businesses and consortia involving small businesses.
2. Give preference to businesses located in the United States that agree that products embodying inventions made under the CRADA or produced through the use of such inventions will be manufactured substantially in this country.

3. Follow instructions regarding controls on the release of classified and unclassified militarily critical technology to potential CRADA partners that are subject to the control or influence of a foreign company or government (FOCI).

4. Provide protection for a period of up to 5 years from disclosure under the Freedom of Information Act (FOIA), all trade secrets or commercial or financial information obtained in the conduct of research under a CRADA. Proprietary Information is protected by Federal law.

5. Safeguard all classified and unclassified sensitive information. CRADA participants requiring access to classified information must comply with current security procedures for handling and protecting classified information. In these cases, the Carderock Division must prepare a form DD254.

Getting Started

The Principal Investigators from the partners are responsible for doing the following:

1. Get together to discuss options, alternatives, and benefits;
2. Scope out the respective work statements;
3. Obtain and complete the Carderock CRADA questionnaire (see the 'Links to Forms' web site); and
4. Submit the questionnaire to the Technology Transfer Office.

A more detailed guide to understanding CRADAs and Tech Transfer is available for the Tech Transfer Office or from the Division web site (see page 1).



<http://www.dt.navy.mil>

CRADA Facts

The Carderock Division may enter into Cooperative Research and Development Agreements (CRADAs) with partners in the private sector to perform mutually beneficial research and development. Through the use of CRADAs, the Carderock Division's leading-edge technology can be applied to American industry to create jobs, increase productivity, and raise the standard of living in this country. This technology is best shared or transferred by creating strong partnerships with industry. This allows industry to leverage its R&D investments by receiving rights to government inventions that can be commercially exploited.

Carderock Division's technology transfer efforts are managed by the Office of Research and Technology Applications (ORTA) as required under Public Law 96-480. The ORTA disseminates information about Federally owned or originated products, processes, and services to the private sector and state and local governments. The Technology Transfer Office reports directly to the Director of Technology.

In order to begin the process of entering into a standard CRADA, the Technology Transfer Office requires that a CRADA Questionnaire be completed. Carderock Division personnel and their CRADA partners should work together and consolidate their respective input in order to complete and submit ONE CRADA Questionnaire. Upon completion, the CRADA Questionnaire should be submitted to the Technology Transfer Office, Code 0117. Please contact the Technology Transfer Office at (301) 227-2690 for a copy of the CRADA Questionnaire.

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